

IN THE SUPREME COURT OF MONTANA

Cause No. DA-10-352

Michael E. Spreadbury

700. So. Fourth St.

Hamilton MT 59840

Acting on own behalf as Appellant

FILED

AUG 02 2010

Ed Smith  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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NANSU RODDY,	)	
Peitioner and Appellee	)	
v.	)	RESPONSE TO DEFENSE
MICHAEL E. SPREADBURY	)	MOTION TO DISMISS
Respondent and Appellant	)	

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Comes now, Michael E. Spreadbury, Appellant and Respondent replying to Defense motion to dismiss written July 27, 2010.

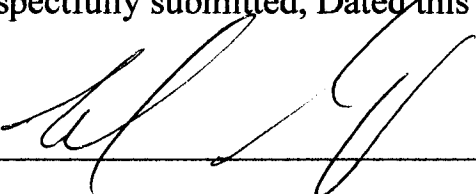
Defense counsel had opportunity to respond to Appellate Rule 22 in District Court, yet failed to do so, as did Honorable Judge Larson, Montana 4<sup>th</sup> Judicial District.

Any criminal case without significant delay filed for 10 months is a common law violation, without probable cause. Appelle misrepresents TOP situation: documented false swearing to Municipal Judge, and police report inconsistent.

The miscarriage of justice is false imprisonment, false information; Appelle states in police report of “feeling threatened”. Appellant has order, intimidation charges without threat, probable cause. Appellant holds security clearance by FBI, wrote Dec. 31, 2009 affidavit stating no danger to Appellee on November 4, 2009.

Dismissal by Montana Supreme Court would violate Appellant’s fundamental due process. Appellant seeks remanded hearing in District court, or dismissal, proper in this case. Library, has §1983 liability as does Appellee, not relevant to case.

Respectfully submitted, Dated this 30<sup>th</sup> day of July 2010

  
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Michael E. Spreadbury

Certificate of Service:

I certify that I have filed a true and accurate copy of the foregoing:

*Response to Defense Motion to Dismiss*

With the clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing with each attorney of record, and the District Court. Service is by mail, or hand delivered.

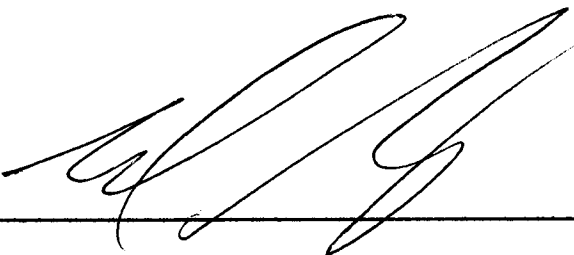
Clerk of 21<sup>st</sup> District Court  
205 Bedford St.  
Hamilton, MT 59840

Clerk of Montana Supreme Court  
PO Box 203003  
Helena, MT 59620-3003

Attorney for Appellee  
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Pro Se Repondent and Appellant  
Michael Spreadbury  
700 S. 4<sup>th</sup> St.  
Hamilton MT 59840

Dated: 7/30/10

  
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Michael E. Spreadbury, Self Represented Plaintiff